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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,126	01/24/2002	Kenji Yonemochi	011785	6721

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EXAMINER

HEITBRINK, JILL LYNNE

ART UNIT PAPER NUMBER

1732

DATE MAILED: 05/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/030,126

Applicant(s)

YONEMOCHI ET AL.

Examiner

Jill L. Heitbrink

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 3-13 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 22, 2005 has been entered.

Election/Restrictions

2. Claims 3-13 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper filed May 4, 2004.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Fujishiro et al. Pat. No. 5,902,534.

5. Fujishiro et al. disclose an in-mold coating method wherein a mold is opened (col. 6, lines 35-42) at a predetermine interval after a thermoplastic resin material is subjected to an injection molding within a mold (col. 6, lines 32-34), a predetermined amount of coating material is injected into a space formed between the surface of the thermoplastic resin molded product and the internal surface of the mold cavity (col. 30, lines 19-21), reclosing the mold upon the completion of injection of the coating material (col. 30, lines 36-43), the injected coating material is allowed to cure (col. 30, lines 48-51) within the mold so as to obtain an integrally formed molded product having a coating layer tightly adhered to the surface including injection of a coating material after a time period for the thermoplastic resin surface to withstand an injection pressure and flowing pressure of the coating material (col. 5, lines 11-21). The injection time of the coating material being within the range as defined in step (2) and the reclosure time of the mold being within the range as defined in step (3) is met by Fujishiro since the injection is stopped before the reclosing action of the mold and before the coating is cured (col. 30, lines 12-57). Therefor, Fujishiro operates within the claimed time ranges. The injection of the coating material being conducted at a time when the thermoplastic resin arrives at a temperature equal to or lower than its thermally deforming temperature in the case of amorphous material or at a time when the thermoplastic resin arrives at a temperature equal to or lower than its crystallizing temperature for crystalline resin is disclose by Fujishiro et al. since the material has been dwelling (col. 5, lines 22-49) and the thermoplastic being amorphous or crystalline (col. 30, lines 10-32).

6. Applicant's arguments filed February 22, 2005 have been fully considered but they are not persuasive.

7. Applicant argues that the time period (lines 16-18 of claim 1) is critically important and that the control of the time from the completion of the injection of the coating material to the restart of closing the retracted mold is quite critical. However, the time period of claim 1, lines 16-18, is not the same as the time period from the completion of the injection of the coating material to the restart of closing the retracted mold which applicant is arguing. Applicant's specification on page 36, lines 8-14 describes the time period of claim 1, lines 16-18, from the beginning of injection of the coating material to its spreading through an interior of the mold by reclosure of the mold (completion of the reclosing of the mold). Applicant's specification on page 37, lines 5-8 describes the time period argued from the completion of coating material injection until the beginning of reclosing the mold. The injection time of the coating material being within the range as defined in step (2) and the reclosure time of the mold being within the range as defined in step (3) is met by Fujishiro since the injection is stopped before the reclosing action of the mold and before the coating is cured (col. 30, lines 12-57).

8. Applicant argues that Fujishiro is silent as to the criticality of the control of the time from the completion of the injection of the coating material to the restart of closing the mold. However, this time range is not claimed. Additionally, applicant's disclosed broad time range, such as disclosed on page 37, lines 5-8 of the specification does not suggest any criticality of the time range. This length of time is from zero to half the gel time (at the mold surface temperature just being coated). The reclosing of the mold in


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Fujishiro (col. 30, lines 44-47) is disclosed as being at the end of injection of the coating and it is disclosed that a clamping pressure is provided during the injection and thus is within this time frame.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill L. Heitbrink whose telephone number is (571) 272-1199. The examiner can normally be reached on Monday-Friday 9 am -2 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaianni can be reached on (571) 272-1196. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jill L. Heitbrink
Primary Examiner
Art Unit 1732

jlh